

REMARKS

Upon entry of the present amendment, claims 1, 3-8, and 10-11 will have been amended and no claims will have been canceled. Claims 12 is submitted for the Examiner's consideration.

In the outstanding Official Action, the Examiner rejected claims 1-11 under 35 U.S.C. § 102(e) as being anticipated by TANIGUCHI et al (U.S. Patent No. 6,549,232).

Applicants respectfully traverse the above rejection and submit that it is inappropriate with respect to the claims pending in the present application. Accordingly, Applicants respectfully request reconsideration and withdrawal of the outstanding rejection together with an indication of the allowability of all the claims in the present application, in due course.

TANIGUCHI does not teach a blank photographing operation performing processor that performs a photographing operation in a blank photographing mode, such that upon photographing, the image data is stored in the buffer memory without being stored in a recording medium, when no recording medium is installed in the electronic still camera, when a recording medium without a blank recording area sufficient to store the image data is installed in the electronic still camera, and when a recording medium, having a blank recording area

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sufficient to store the image data, is installed in the electronic still camera.

TANIGUCHI does not teach a blank photographing mode, such that upon photographing, the image data is stored in the buffer memory without being stored in a recording medium, when a recording medium is installed in said electronic still camera. On the other hand, TANIGUCHI teaches transferring the image data to a recording medium when it is detected that a recording medium is loaded in the camera (e.g., Column 3, lines 39-45). Therefore, TANIGUCHI does not teach storing image data in the buffer without being stored in a recording medium because TANIGUCHI teaches storing the image data to the recording medium when a recording medium is installed.

Further, in the rejection of claim 3, the Examiner relies upon TANIGUCHI's teaching of element S10 as a means of switching to the blank photographing mode. S10, however, is a switch, which is turned on when an IC card is loaded into the camera body (e.g., Column 8, lines 13-23). S10 is not a switch to set the camera into the blank photographing mode when a recording medium is installed. Therefore, TANIGUCHI does not teach the claimed blank photographing mode in addition to the other features and limitations presented in the instant claims.

Additionally, TANIGUCHI does not teach a blank photographing mode,

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such that upon photographing, said image data is stored in said buffer memory without being stored in said recording medium, when it is determined that said recording medium, having a blank recording area, lacks sufficient space for said image data. On the other hand, TANIGUCHI merely teaches a step of judging that the IC card remains in a non-recorded condition (e.g., Column 26, lines 45-46). In TANIGUCHI, there is no teaching of determining that the recording medium, having a blank recording area, lacks sufficient space for the image data, and in response thereto storing the image data in the buffer memory without storing the image data in the recording medium. Therefore, TANIGUCHI does not teach the blank photographing mode, such that upon photographing, said image data is stored in said buffer memory without being stored in said recording medium, upon determining that said recording medium, having a blank recording area, lacks sufficient space for said image data.

Thus, in view of the amendments and arguments herein, Applicants submit that claim 1 adds no prohibited new matter and is now in condition for allowance. With regard to dependent claims 2-11, Applicants assert that they are allowable on their own merit, at least because they depend either directly or indirectly from independent claim 1, which Applicants have shown to be allowable.

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Applicants have also added claim 12 for the Examiner's consideration. Claim 12 adds no prohibited new matter and recites a feature that is not taught by the references cited by the Examiner.

Thus, it is respectfully submitted that all of the claims in the present application are clearly patentable over the references cited by the Examiner, either alone or in combination, and an indication to such effect is respectfully requested, in due course.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the outstanding rejections of the claims, as well as an indication of the allowability of each of the claims, including newly submitted claim 12, in view of the herein-contained remarks.

Additionally, Applicants would like to thank the Examiner for acknowledging the claim of priority and indicating that certified copies of the priority documents have been received.

SUMMARY AND CONCLUSION

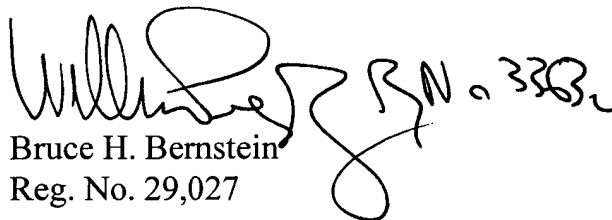
Applicants believe that the present application is in condition for allowance, and respectfully request an indication to that effect. Applicants have amended the claims and argued their allowability. Accordingly, reconsideration of the outstanding Official Action and allowance of the present application and all the recited claims therein are respectfully requested and now believed to be appropriate.

Any amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the below-listed telephone number.

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